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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/556,010	11/08/2005	Amjad Soomro	PHUS030115	4562
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EXAMINER KAO, JUTAI				
ART UNIT 2416		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/556,010

Applicant(s)

SOOMRO ET AL.

Examiner

JUTAI KAO

Art Unit

2416

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 7, 9, 11, 13, 15, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7, 9, 11, 13, 15, 23 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Amendments filed on 11/14/2008 change the original scopes of the claims even though no new matters had been added by the amendments. Therefore, a new search had been conducted and this action is made **FINAL**.

Regarding the objections to the drawings, the amendments cure the problems addressed by the drawing objections for Fig. 1, 2A and 2B. However, the same problems remain for Fig. 3, 4A-4F. These drawings remain objected to for the same reason indicated in the previous office action.

Amendments filed on 11/14/2008 also cure all problems addressed in the claim objections. Corresponding objections have been withdrawn.

Drawings

1. The drawings (Fig. 3, 4A-4F) are objected to because the drawing does not include text label of each of the numbered elements. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief

description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 9 recites the limitation "said setting step" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lappetelamen (US 6,671,495) in view of Bates (US 6,732,143).

Lappetelamen discloses a method for transmitting measurement data in a wireless communication system including the following features.

Regarding claim 1, a method for specifying measurement start times (see Start of measurement field in Fig. 4a) in a network Measurement Request Frame (see Frame shown in Fig. 4a, which shows a "measurement request message" column 11, line 13-15), comprising the steps of: formatting the Measurement Request Frame to have a Measurement Request Elements field (see section HS1 and D1 in Fig. 4a) comprising at least one Measurement Request Element (the combination of the HD1 and D1 in Fig. 4a is considered the Measurement Request Element), said at least one Measurement Request Element comprising at least one Measurement Request (see section D1 in Fig. 4a, wherein section D1 is considered the Measurement Request) for a given type of network measurement (see "strength of the radio signal received by the antenna...is measured" recited in the abstract); and an absolute Start Time in at least one of the Measurement Request Frame, the Measurement Request Element, and the Measurement Request (see Start of measurement field in D1 of the message shown in

Fig. 4a, and see "the time ST of starting of the measurement" recited in column 11, line 20-21; the field represent a prioritized (as being the only start time) absolute start time corresponding to the Measurement Request Frame, the Measurement Request Elements and the Measurement Request).

Lappetelamen does not disclose the following features: regarding claim 1, wherein the absolute Start Time is set to zero to indicate that the corresponding measurement is to be initiated after reception of the Measurement Request Frame.

Bates discloses a method for audible presentation of web page content including the following features.

Regarding claim 1, wherein the absolute Start Time (see Lappetelamen shown above) is set to zero to indicate that the corresponding measurement is to be initiated after reception of the Measurement Request Frame (see "start time field...may contain a suitable zero value...indicating that the audio presentation is to begin immediately" as recited in column 7, lines 1-3, which when incorporated into Lappetelamen's invention, would represent the start of the measurement should start immediately after the reception of the frame).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Lappetelamen using features, as taught by Bates, in order to indicate an immediate start of the measurement.

7. Claim 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lappetelamen and Bates as applied to claim 1 above, and further in view of Fishhaut (2008/0109513).

Lappetelamen and Bates disclose the claimed limitations as shown above.

Lappetelamen and Bates do not disclose the following features: regarding claim 7, the method includes the step of setting a Measurement Mode field to a value that specifies how to interpret the absolute Start Time for starting measurement of the element; regarding claim 11, the method further comprises the steps of: including in the at least one Measurement Request Element a Measurement Mode field; and step for setting said Measurement Mode subfield to a value that specifies how to interpret the applicable one of the first, second, and third Start Time for starting measurement of the element.

Fishhaut discloses a method of data transfer including the following features.

Regarding claim 7, the method includes the step of setting a Measurement Mode field to a value that specifies how to interpret the absolute Start Time for starting measurement of the element (shown as the Start Time "ST" field in Lappetelamen Fig. 4a) for starting measurement of the element (see "The fieldType variable...to indicate how to interpret the data that follows" recited in paragraph [0052]).

Regarding claim 11, the method further comprises the steps of: including in the at least one Measurement Request Element (shown in Lappetelamen) a Measurement Mode field (see "fieldType variable comes at the beginning of a FIELD" recited in paragraph [0052]); and step for setting said Measurement Mode subfield to a value that

specifies how to interpret the applicable one of the first, second, and third Start Time (shown as the Start Time "ST" field in Lappetelamen Fig. 4a) for starting measurement of the element (see "The fieldType variable...to indicate how to interpret the data that follows" recited in paragraph [0052]).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Lappetelamen and Bates using features, as taught by Fishhaut, in order to allow correct interpretation of each field in the received packets.

8. Claim 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lappetelamen, Bates and Fishhaut as applied to claim 11 above, and further in view of Frederiksen (US 2003/0103491).

Lappetelamen, Bates and Fishhaut disclose the claimed limitations as shown above.

Lappetelamen, Bates and Fishhaut do not disclose the following features: regarding claim 9 and 13, wherein said setting step further comprises the step of using a three bit encoding to represent a selected indicator.

Frederiksen discloses a method for compact representation of multi-code signaling in communication systems including the following features.

Regarding claim 9 and 13, wherein said setting step further comprises the step of using a three bit encoding (see "encoded using only three bits" recited in paragraph [0028]) to represent a selected indicator (see "encoded using only three bits for the code group indicator" recited in paragraph [0028]).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Lappetelamen, Bates and Fishhaut using features, as taught by Frederiksen, in order to enhance transmission security by encoding the code group indicator.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lappetelamen (US 6,671,495) in view of Bates (US 6,732,143) and Garg (US 2006/0171362).

Lappetelamen discloses a method for transmitting measurement data in a wireless communication system including the following features.

Regarding claim 15, an apparatus that formats a Measurement Request Frame having an unambiguous measurement Start Time comprising, a measurement acquisition circuit that formats the Measurement Request Frame (see Frame shown in Fig. 4a, which shows a "measurement request message" column 11, line 13-15), comprising the steps of: formatting the Measurement Request Frame to have a Measurement Request Elements field (see section HS1 and D1 in Fig. 4a) comprising at least one Measurement Request Element (the combination of the HD1 and D1 in Fig. 4a is considered the Measurement Request Element), said at least one Measurement Request Element comprising at least one Measurement Request (see section D1 in Fig. 4a, wherein section D1 is considered the Measurement Request) for a given type of network measurement (see "strength of the radio signal received by the antenna...is measured" recited in the abstract); and a control processor coupled to said

measurement acquisition circuit and configured to set an absolute Start Time in at least one of the Measurement Request Frame, the Measurement Request Element, and the Measurement Request (see Start of measurement field in D1 of the message shown in Fig. 4a, and see "the time ST of starting of the measurement" recited in column 11, line 20-21; the field represent a prioritized (as being the only start time) absolute start time corresponding to the Measurement Request Frame, the Measurement Request Elements and the Measurement Request).

Lappetelamen does not disclose the following features: regarding claim 15, a TSF timer and wherein the absolute Start Time is set to zero to indicate that the corresponding measurement is to be initiated after reception of the Measurement Request Frame; regarding claim 24, wherein said Start Time is based on a time synchronization function timer value.

Garg discloses a method for scheduling service periods in a wireless local area network including the following features.

Regarding claim 15, a TSF timer (see "the start time is set in the TSF referenced above, and is illustratively set to the low order four bytes of the TSF timer" recited in paragraph [0021]).

Regarding claim 24, wherein said Start Time is based on a time synchronization function timer value (see "the start time is set in the TSF referenced above, and is illustratively set to the low order four bytes of the TSF timer" recited in paragraph [0021]).

Bates discloses a method for audible presentation of web page content including the following features.

Regarding claim 15, wherein the absolute Start Time (see Lappetelamen shown above) is set to zero to indicate that the corresponding measurement is to be initiated after reception of the Measurement Request Frame (see "start time field...may contain a suitable zero value...indicating that the audio presentation is to begin immediately" as recited in column 7, lines 1-3, which when incorporated into Lappetelamen's invention, would represent the start of the measurement should start immediately after the reception of the frame).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Lappetelamen using features, as taught by Bates and Garg, in order to indicate an immediate start of the measurement.

10. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lappetelamen and Bates as applied to claim 1 above, and further in view of Garg (US 2006/0171362).

Lappetelamen and Bates disclose the claimed limitations as shown above.

Lappetelamen and Bates do not disclose the following features: regarding claim 3, wherein said Start Time is based on a time synchronization function timer value.

Garg discloses a method for scheduling service periods in a wireless local area network including the following features.

Regarding claim 23, wherein said Start Time is based on a time synchronization function timer value (see “the start time is set in the TSF referenced above, and is illustratively set to the low order four bytes of the TSF timer” recited in paragraph [0021]).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Lappetelamen and Bates using features, as taught by Garg, in order to perform synchronized operation between the sender and the receiver (see Garg, paragraph [0021], “an absolute time reckoned by the intended one or more QSTA's...clock...synchronized with that of the HC”).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUTAI KAO whose telephone number is (571)272-9719. The examiner can normally be reached on Monday ~Friday 7:30 AM ~5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang Yao can be reached on (571)272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ju-Tai Kao

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Acting Examiner of Art Unit 2416

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